IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8510 OF 2004

Shantanu Pravin Rajput .. Petitioner
V/s
State of Maharashtra & Ors. .. Respondents

Mr.C.K.Bhangoji h/f Mr.R.K.Mendadkar for the Petitioner.
Mr.C.R.Sonawane, AGP for Respondent Nos.1 to 4.
Ms.Manisha Pant i/by M.P.Bhave & Co.for Respondent No.5.

CORAM : B.H.MARLAPALLE & NARESH H.PATIL,JJ.
DATE : 25th September, 2006.

P.C.:

1. Heard the learned Counsel for the Petitioner who is aggrieved by the decision of the Scuritiny Committee which has invalidated the petitioner's caste claim that he belongs to "Rajput Bhamta".

2. The impugned decision shows that the petitioner had submitted as many as 24 documents and most of them were caste certificates. The Committee considered two basic documents in respect of the petitioner's father Pravinsingh and uncle Vijaysingh. The Committee noted that the petitioner's father Pravinsingh Dhansingh Rajput was a student of Raja Shivaji Vidyalala, Dadar, Mumbai and in the school leaving certificate dated 26.6.1978 his caste was mentioned as "Hindu" and there was no mention of "Rajput" or "Rajput Bhamta". The Committee therefore considered the second document in respect of the petitioner's uncle Vijaysingh, brother of Pravinsingh and in his case the birth register maintained by the Tahasildar of Yerandol went to show that his caste was recorded as "Rajput". On the basis

of this document, the caste certificates issued from 1996 onwards or affidavit filed by the petitioner's grand father would not change his caste. There was one caste validity certificate in respect of Shri.Siddharth Dhansingh Salunkhe, but the petitioner could not establish the blood relationship with the said Siddharth Dhansingh Salunkhe and therefore, the said validity certificate was not considered by way of evidence.

3. On the face of these documents and also on the basis of the reply filed by the petitioner's father, the Committee came to the conclusion that in 1955 the caste of the petitioner's family was recorded as "Rajput" and not as "Rajput Bhamta". There is no procedural error committed by the Scrutiny Committee while deciding the petitioner's caste claim.

4. For all these reasons, the impugned decision cannot be called as perverse or grossly erroneous so as to cause interference in the same in this petition. In addition, there is no documentary record which was placed before us and require consideration so as to remand the petitioner's caste claim to the scrutiny committee. Hence, the petition fails and the same is hereby rejected summarily.

(NARESH H.PATIL,J.) (B.H.MARLAPALLE, J.)